

## REMARKS/ARGUMENTS

### *Status of the Application*

In the April 12, 2005, Final Office Action, claims 1-17 were rejected. In the current Response, claims 3, 5, and 12 were amended to correct grammatical mistakes. Claims 9 and 15 were amended to correct dependency errors. Thus, claims 1-17 are pending. No new matter was added.

### *Rejections Under 35 U.S.C. § 103(a)*

Claims 1, 3-9, and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Liedtke *et al.* (U.S. Patent No. 5,871,809) in view of Pfanstiehl (U.S. Patent No. 5,730,644). Applicants respectfully traverse these rejections.

The blending-in method, in principle, is known in the art, mainly for basecoats, but also for *solvent-borne* clearcoats. The problem Applicants solved, however, was the production of high-quality coatings with *aqueous* clearcoats when using the blending-in method. In the present invention, the blending-in with the aqueous clearcoat is carried out in two separate steps: (1) applying the clearcoat by a typical spray application and (2) fading out into areas of the intact, existing coating by spray application with a clearcoat having the same spraying viscosity as the clearcoat applied in step (1). It was unexpected that a high-quality coating in terms of, for example, appearance and gloss was achieved by Applicants' claimed process. What is expected and is known in the art is that good appearance, that is a smooth, invisible transition from the repaired area to the existing coating, can be achieved when using, in step (2), a *highly thinned* clearcoat.

One of ordinary skill in the art is aware, however, that there are significant differences in the handling/spray application of solvent-borne clearcoats compared to aqueous coating compositions, mainly depending on the nature of the organic solvents compared to water as a solvent. Thus, the method of Pfanstiehl when applied to Liedtke *et al.* teaches away from Applicants' claimed method because Pfanstiehl is not directed to the use of aqueous clearcoats.

Additionally, Pfanstiehl teaches away from the present application because application by a fiberglass brush, as disclosed in Pfanstiehl, would not result in a high-quality repair coating, and is thus an undesirable solution to the stated problem.

Because claims 3-9 and 16 are dependent claims, which recite even further limitations to the claim that has already been traversed, Applicants rely upon the arguments presented above in rebuttal to the Examiner's assertion that claims 3-9 and 16 are unpatentable.

Claims 2, 10-15, and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Liedtke *et al.* in view of Pfanstiehl in further view of Stengel *et al.* (U.S. Patent 5,545,824). Because Stengel *et al.* was cited by the Examiner "merely to teach that pigment topcoats . . . may be used interchangeably in the field of automobile coating" and thus supplies no teaching as to use of aqueous clearcoats in a blending-in method, Applicants rely upon the arguments presented above in rebuttal to the Examiner's assertion that claims 2, 10-15, and 17 are unpatentable.

### ***Summary***

In view of the foregoing amendments and remarks, Applicants submit that this application is in condition for allowance. In order to expedite disposition of this case, the Examiner is invited to contact Applicants' representative at the telephone number below to resolve any remaining issues. Should there be a fee due which is not accounted for, please charge such fee to Deposit Account No. 04-1928 (E.I. du Pont de Nemours and Company).

Respectfully submitted,

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